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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,261	07/13/2001	John MacAlister	1965-1-3	4870

7590

04/18/2006

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EXAMINER

AHMAD, NASSER

ART UNIT

PAPER NUMBER

1772

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/905,261	MACALISTER ET AL.	
	Examiner	Art Unit	
	Nasser Ahmad	1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-9,14-18,25-28 and 31-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-9,14-18,25-28 and 31-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification Objection Withdrawn

1. The objection to the specification made in the last Office Action of November 3, 2005 has been withdrawn in view of the amendment filed on February 6, 2006.

Rejection Withdrawn

2. Claims 1, 4-914-18 and 25-35 rejected under 35 U.S.C. 112, first paragraph, made in the last Office Action has been withdrawn in view of the amendment.

Rejections Maintained

3. Claims 25- 28, 33-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilkins (6038803) for reasons of record in the Office Action of May 25, 2005 and maintained in the last Office Action of November 3, 2006.
4. Claims 1, 4-8, 16-18 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilkins for reasons of record made in the above mentioned Office Actions.
5. Claims 14-15 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilkins for reasons of record made in the above mentioned Office Actions.
6. Claims 1 and 9 rejected under 35 USC 103(a) as being unpatentable over Treglown in view of Applicant's Admission for reasons of record made in the last Office Action.

Response to Arguments

7. Applicant's arguments filed August 8, 2005 have been fully considered but they are not persuasive.

Applicant argues that "at no time Wilkins propose the creation of any assembly which involves adhesive". This is not deemed to be convincing because, as clearly taught by Wilkins in col. 3, lines 59-60, the PVC static cling sheet D is secured to the picture B using tacky adhesive. This shows the presence of adhesive on one side of the PVC static cling sheet or mount. Similarly, in col. 4, lines 28-36, Wilkins also teaches that the cling sheet E is electrostatically adhered to a protective backing F and optionally, a tacky adhesive is provided to adhere the sheet E to the original picture. This also shows that the cling PVC sheet is adhesively adhered to the picture with adhesive being provided on one side and the other side is electrostatically adhered to the backing F. Further, this issue was also discussed and explained during the interview on December 8, 2005, wherein an unofficial copy of a power point slide was E-mailed to the examiner for aiding in conducting said interview.

Applicant's attempt to interpret Wilkins in page-4 of the amendment, per the drawing shown therein, is not found to be persuasive because nowhere does Wilkins present said version of using a spray can of adhesive.

Responding to applicant's allegation that Wilkins fails to teach a method of for securing a first material to a second material, the above explanation apply herein *a fortiori*. The Wilkins reference clearly teaches that the first material (F) is secured to second material (1) with the cling sheet (E). The material F of Wilkins can be paper because use of

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paper as protective cover for cling sheet is well known and conventional in the art, while the second material (1) is shown to be glass.

Applicant also argues that "There is no mention anywhere in Treglown's work of the use of cling properties. This is not found to be persuasive because, applicant is reminded that Treglown in combination with applicant's admission (as provided in the obviousness rejection made under 35 USC 103(a) in the last Office action, page-4) clearly shows that the claimed invention is obvious over the prior art of record.

Also, applicant has failed to show that the tab of Treglown could not be used a mounting cling, specially when it is shown that that tab is secured to a poster for mounting.

Applicant argues that the claimed size of the instant mounts are the deliberate result of experimentation to optimize the dimension of the mounts. However, as explained in the last Office Action and being reiterated here, applicant has failed to show any evidence that Wilkins mount would not function when its dimension is optimized. Similarly, there is no showing by the applicant that Treglown's mount would not function as such when is it's dimension is optimized. Applicant is directed to Treglown's mount which is sized much smaller than the poster sheet and it would have been obvious to one having ordinary skill in the art to optimize it's dimension for optimum size of the tab.

Thus, in the absence of any evidence to the contrary, it remains the examiner's position that the claimed invention is anticipated or rendered obvious over the prior art of record discussed above.

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Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

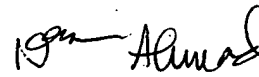
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nasser Ahmad 4/16/06
Primary Examiner
Art Unit 1772

N. Ahmad.
April 16, 2006.